



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 10.08.2021  
CORAM  
THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN  
W.P.No.39053 of 2015

WEB COPY

P.Nanda Kumar  
represented by his Power Agent  
Mr.A.Kavimani

... Petitioner

-vs-

The Tahsildar,  
Purasaiwakkam Taluk Office,  
Nehru Stadium,  
Chennai - 600 003.

... Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records pertaining to the order passed by the respondent in Procs.TR/1347/2015 dated 27.10.2015 and Quash the same and consequently direct the Respondent to issue Patta in respect of property to an extent of 2 grounds and 747 Sq.feet comprised in R.S.No.2902 part of Block No.46 of Purasawalkam Village in favour of petitioner Principal Mr.P.Nanda Kumar.

For Petitioner : Mr.M.Jaikumar

For Respondent : Mr.Richardson Wilson,  
Government Advocate

O R D E R

This Writ Petition is filed to issue a writ of certiorarified mandamus calling for the records pertaining to the order passed by the respondent in Procs.TR/1347/2015 dated 27.10.2015 and Quash the same and consequently direct the Respondent to issue Patta in respect of property to an extent of 2 grounds and 747 Sq.feet comprised in R.S.No.2902 part of Block No.46 of Purasawalkam Village in favour of petitioner Principal Mr.P.Nanda Kumar.

2. The petitioner applied for patta for the subject property before the respondent herein. It was rejected on the ground that the applicant should be in possession of valid title deed over the portion for which the patta is requested by him. That apart, he should be in undisputed possession of the property for which patta is requested.



3. According to the respondent, the petitioner is not in possession of the property ad measuring 2 grounds and 747 Sq.feet comprised in R.S.No.2902 part of Block No.46 at Purasawalkam Village. However, as against this order, the petitioner has appeal remedy as contemplated under Section 12 of the Tamil Nadu Patta Passbook Act before the Appellate Authority. When there is a specific appeal remedy available as against the order passed by the respondent, this Court cannot entertain this writ petition under Article 226 of the Constitution of India. Therefore, this writ petition is devoid on merits.

4. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to file an appeal as against the impugned order passed by the respondent before the Appellate Authority as contemplated under Section 12 of the Tamil Nadu Patta Passbook Act. It is made clear that the

period of pendency of the writ petitioner may be excluded while calculating the period of limitation in the appeal. No order as to costs.

Sd/-  
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

rna

To

The Tahsildar,  
Purasaiwakkam Taluk Office,  
Nehru Stadium,  
Chennai - 600 003.

+1 cc to Mr.M.Jaikumar, Advocate SR.No.39613  
+1 cc to Special Government Pleader SR.No.39777

W.P.No.39053 of 2015

AK(CO)  
CT(27/08/2021)